MONTANA LEGISLATIVE HISTORY

Chapter 203 1993

Bill H _____ S 390 Original bill & history ✓ C

H. Committee on Business & Econ Dev

Hearing Date(s) 3/4 ✓ C

3/5 ✓ C

_____ C

_____ C

Date Out _____ C

S. Committee on Business & Ind. Affairs

Hearing Date(s) 2/19 ✓ C

_____ C

_____ C

_____ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

Chapter Page

TION, REPAIR, OR MODIFICATION OF EXTERNAL LEAK DETECTION DEVICES AND CATHODIC PROTECTION SYSTEMS; CLARIFYING THE APPLICABILITY OF UNDERGROUND STORAGE TANK LAW TO ALL PARTS OF UNDERGROUND STORAGE TANK SYSTEMS; AMENDING SECTIONS 75-11-202, 75-11-203, 75-11-204, 75-11-209, 75-11-210, 75-11-211, 75-11-212, 75-11-213, 75-11-217, 75-11-218, 75-11-220, AND 75-11-224, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE 530

201 *(Senate Bill No. 319; Hockett)* AN ACT EXEMPTING CONTAINER SITES FROM THE DEFINITION OF A SOLID WASTE MANAGEMENT SYSTEM; AMENDING SECTIONS 75-10-103, 75-10-112, AND 75-10-203, MCA; AND PROVIDING AN EFFECTIVE DATE 537

202 *(Senate Bill No. 331; Lynch)* AN ACT CLARIFYING THE PREFERRED PROVIDER AGREEMENTS ACT; PROVIDING FOR COMPETITION IN AWARDING PREFERRED PROVIDER AGREEMENTS; AMENDING SECTION 33-22-1704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE 541

203 *(Senate Bill No. 390; Christiaens)* AN ACT REQUIRING A PREMISES LICENSED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES TO BE SEPARATED BY WALLS FROM THE REST OF THE BUILDING IN WHICH IT IS LOCATED BUT PROVIDING THAT IT MAY HAVE INSIDE ACCESS IRRESPECTIVE OF THE TYPE OF BUSINESSES OR USES IN THE REST OF THE BUILDING; AND PROVIDING FOR COMPLIANCE BY EXISTING PREMISES WHEN AN ALTERATION TO THE PREMISES IS MADE 543

204 *(House Bill No. 230; Winslow)* AN ACT AUTHORIZING A LOCAL GOVERNMENT TO CREATE A CASH OVER OR SHORT ACCOUNT 543

205 *(House Bill No. 293; McCarthy)* AN ACT ELIMINATING THE REQUIREMENT THAT THE BOARD OF REGENTS CONTRACT ONLY WITH A NONPROFIT CORPORATION TO ADMINISTER THE LOANS GRANTED UNDER THE GUARANTEED STUDENT LOAN PROGRAM; AND AMENDING SECTIONS 20-26-1101, 20-26-1103, AND 20-26-1104, MCA 544

206 *(House Bill No. 414; Keller)* AN ACT AMENDING THE BONDING AUTHORITY FOR SOLID WASTE MANAGEMENT DISTRICTS; AMENDING SECTIONS 7-13-236 AND 7-13-308, MCA; AND PROVIDING AN EFFECTIVE DATE 545

207 *(House Bill No. 538; Foster)* AN ACT CLARIFYING THAT A PROVIDER OF REGULATED TELECOMMUNICATIONS SERVICES MAY NOT, IN PROMOTIONAL OFFERINGS, COMBINE MONOPOLY SERVICES WITH COMPETITIVE SERVICES UNLESS AUTHORIZED BY THE PUBLIC SERVICE COMMISSION; AMENDING SECTION 69-3-305, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE 547

208 *(House Bill No. 247; Ewer)* AN ACT REVISING THE DEADLINE FOR A STATE DISTRICT OFFICE CANDIDATE AND A POLITICAL PARTY OR INDEPENDENT COMMITTEE TO FILE CERTAIN REPORTS WITH THE COMMISSIONER OF POLITICAL PRACTICES; AND AMENDING SECTION 13-37-226, MCA 548

209 *(House Bill No. 256; Toole)* AN ACT PROVIDING THAT A 100 PERCENT DISABLED VETERAN MAY PAY THE SAME FEE FOR ANY MILITARY-RELATED SPECIAL LICENSE PLATE FOR WHICH THE DISABLED VETERAN IS ELIGIBLE AS THE DISABLED VETERAN WOULD PAY FOR A DISABLED VETERAN'S LICENSE PLATE; AMENDING

2/13	FIRST READING		
2/13	FISCAL NOTE REQUESTED		
2/18	FISCAL NOTE RECEIVED		
2/20	FISCAL NOTE PRINTED		
3/08	HEARING		
3/29	COMMITTEE REPORT—BILL PASSED AS AMENDED		
3/29	2ND READING PASSED AS AMENDED	32	17
3/30	3RD READING PASSED	30	20
	TRANSMITTED TO HOUSE		
3/31	REFERRED TO NATURAL RESOURCES		
3/31	FIRST READING		
4/07	HEARING		
4/12	TABLED IN COMMITTEE		

SB 390 INTRODUCED BY CHRISTIAENS, ET AL.

REQUIRE PREMISES LICENSED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES TO BE SEPARATED BY WALLS FROM THE REST OF THE BUILDING IN WHICH IT IS LOCATED BUT PROVIDING THAT IT MAY HAVE INSIDE ACCESS IRRESPECTIVE OF THE TYPE OF BUSINESSES OR USES IN THE REST OF THE BUILDING

2/13	INTRODUCED		
2/13	REFERRED TO BUSINESS & INDUSTRY		
2/13	FIRST READING		
2/13	FISCAL NOTE REQUESTED		
2/18	FISCAL NOTE RECEIVED		
2/18	FISCAL NOTE PRINTED		
2/19	HEARING		
2/19	COMMITTEE REPORT—BILL PASSED		
2/22	2ND READING PASSED	48	0
2/23	3RD READING PASSED	48	1
	TRANSMITTED TO HOUSE		
2/23	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
2/23	FIRST READING		
3/04	HEARING		
3/06	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
3/10	2ND READING CONCURRED	90	8
3/12	3RD READING CONCURRED	82	13
	RETURNED TO SENATE WITH AMENDMENTS		
3/16	2ND READING AMENDMENTS CONCURRED	50	0
3/17	3RD READING AMENDMENTS CONCURRED	46	1
3/19	SIGNED BY PRESIDENT		
3/21	SIGNED BY SPEAKER		
3/22	TRANSMITTED TO GOVERNOR		
3/25	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 203		
	EFFECTIVE DATE: 10/01/93		

SB 391 INTRODUCED BY FRITZ, ET AL.

LOWER LEGAL DRINKING AGE TO 18

2/13	INTRODUCED		
2/13	REFERRED TO JUDICIARY		
2/13	FIRST READING		
2/13	FISCAL NOTE REQUESTED		
2/20	HEARING		
2/22	COMMITTEE REPORT—BILL NOT PASSED		
2/22	ADVERSE COMMITTEE REPORT ADOPTED	35	12
2/22	FISCAL NOTE RECEIVED		
2/23	FISCAL NOTE PRINTED		

Senate BILL NO. 390

INTRODUCED BY [illegible]

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A PREMISES LICENSED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES TO BE SEPARATED BY WALLS FROM THE REST OF THE BUILDING IN WHICH IT IS LOCATED BUT PROVIDING THAT IT MAY HAVE INSIDE ACCESS IRRESPECTIVE OF THE TYPE OF BUSINESSES OR USES IN THE REST OF THE BUILDING."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Suitable premises for licensed retail establishments.** A licensed retailer may use a part of a building as premises licensed for on-premises consumption of alcoholic beverages. The premises must be separated from the rest of the building by permanent walls but may have inside access during lawful hours of operation to the rest of the building even if the businesses or uses in the other part of the building are unrelated to the operation of the premises in which the alcoholic beverages are served.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 16, chapters 1 through 6, and the provisions of Title 16, chapters 1 through 6, apply to [section 1].

-End-

Montana Legislative Council

SB 390
INTRODUCED BILL

MINUTES

MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By J.D. Lynch, Chair, on February 19, 1993, at 10:00 a.m.

ROLL CALL

Members Present:

Sen. J.D. Lynch, Chair (D)
Sen. Chris Christiaens, Vice Chair (D)
Sen. Betty Bruski-Maus (D)
Sen. Delwyn Gage (R)
Sen. Tom Hager (R)
Sen. Ethel Harding (R)
Sen. Ed Kennedy (D)
Sen. Terry Klampe (D)
Sen. Francis Koehnke (D)
Sen. Kenneth Mesaros (R)
Sen. Doc Rea (D)
Sen. Daryl Toews (R)
Sen. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Council
Kristie Wolter, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing:	SB 423, SB 420, SB 419, SJR 27, SB 390, SB 398, SB 387
Executive Action:	SJR 27, SB 390, SB 398, SB 423, SB 420, SB 419, SB 387, SB 197

HEARING ON SB 423

Opening Statement by Sponsor:

Senator Lynch, Senate District 35, stated SB 423 should be tabled He stated SB 423 is modeled after a Minnesota law which states a nursing home may not charge two different prices. He stated nursing homes charge one price for private nursing care and one price for public pay systems. He stated the private rate is

HEARING ON SB 390

Opening Statement by Sponsor:

Senator Christiaens, Senate District 18, stated SB 390 pertains to taverns which sell alcoholic beverages. He stated SB 390 would change the situation in which a tavern is operating under the same roof as another business. He stated the proponents would explain SB 390 further.

Proponents' Testimony:

Mark Staples, Montana Tavern Association (MTA), stated there had been an unintended consequence of the gaming bill which was gaming machines in convenience store settings. He stated the convenience stores were using the gaming machines to attain beer and wine licenses and then turning the convenience stores into taverns. He stated the MTA worked with the Department of Revenue (DOR) and the convenience store owners to clarify the definition of a "premises" where liquor could be provided. He stated there had been a rule change which would separate the premises. He stated page 13, section 8 defined the premises on which gaming could occur and liquor could be sold. He stated the DOR proposed the "premises" would be separated by four permanent walls and would have no inside access. He stated the MTA agreed separation made sense, but did not want the walls to be floor to ceiling. He stated the DOR grandfathered walls which did not run from floor to ceiling, and only new establishments would be required to have four full walls. Mr. Staples stated inside access was still in the provision and the MTA felt inside access was not necessary. He stated the grandfather clause for inside access was only in effect until a building owner decided to remodel. He stated there had been unintended consequences from the denial of inside access which caused the people who want to remodel to have split a building into two separate businesses. He stated SB 390 would allow for inside access to gaming machines with separating walls. He stated the DOR would have to work with the businesses on the definition of inside access.

Gary Ehnes, Hi-Ho Tavern and Laundromat, Great Falls, stated his support of HB 390. He stated the current law makes it expensive to remodel in any fashion.

Larry Akey, Montana Coin Machine Operators, stated his support of SB 390.

Paul Slider, Montana Petroleum Marketers Association, stated many of the members of the Association own retail outlets with gaming machines. He stated he supported SB 390.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

None.

Closing by Sponsor:

Senator Christiaens closed on SB 390.

EXECUTIVE ACTION ON SB 390

Motion/Vote:

Senator Rea moved SB 390 DO PASS. The motion CARRIED UNANIMOUSLY.

HEARING ON SB 398

Opening Statement by Sponsor:

Senator Rea stated SB 398 addressed some of the problems with the Montana Landlord/Tenant Act. He stated SB 398 would clarify the landlord's rights to make the tenant vacate the building. He stated SB 398 would also change the amount of time a tenant is allowed to clean a rental unit upon receipt of notice. He stated SB 398 would change the amount of damages allowable for withholding of the security deposit. Senator Rea stated SB 398 would clarify the time and delivery of the landlord's written report of the condition of the rental premises.

Proponents' Testimony:

Greg VanHorssen, Montana Landlord Association, Income Property Managers Association, stated his associations' support of SB 398. He stated the changes in section 1 would expedite the process of preparing a rental unit for the next tenant when a prior tenant has vacated or will be vacating the premises. He stated the reduction from 48 to 12 hours for the tenant to complete cleaning was in addition to a 3 day period allowed for mailing. He stated the provisions of section 1, page 2, lines 14 - 18 allow the landlord immediate access to a tenants security deposit for cleaning purposes but only if the tenant has not given notice of intent to vacate. He stated the provision addressed the tenant vacating the premises without providing notice and it becoming necessary to clean the premises immediately and prepare it for another tenant. He stated the provision would encourage communication between the tenant and landlord. Mr. VanHorssen stated the changes in section 4 would bring practicality to the statute. He stated is unreasonable to require a landlord to provide every potential tenant with a report stating the condition of the rental premises. Mr. VanHorssen stated section

ROLL CALL

SENATE COMMITTEE Business & Industry DATE 2/19/93

NAME	PRESENT	ABSENT	EXCUSED
Senator Lynch	✓		
Senator Christiaens	✓		
Senator Bruski-Maus	✓		
Senator Gage	✓		
Senator Hager	✓		
Senator Harding	✓		
Senator Kennedy	✓		
Senator Klampe	✓		
Senator Kuehnke	✓		
Senator Mesaros	✓		
Senator Rea	✓		
Senator Toews	✓		
Senator Wilson	✓		

FC8

Attach to each day's minutes

SENATE STANDING COMMITTEE REPORT

February 19, 1993

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 390 (first reading copy -- white), respectfully report that Senate Bill No. 390 do pass.

Signed: _____
Senator John "J.D." Lynch, Chair

Amd. Coord.
Sec. of Senate

411411SC.San

DATE 2/19/93

SENATE COMMITTEE ON Business & Industry

BILLS BEING HEARD TODAY: SB 419, SB 420, SB 423, SJR 27, SB 390, SB 387, SB 398

Name	Representing	Bill No.	Check One: Support	Check One: Oppose
MIKE LABRIOLA	LEWIS & CLARK INTERPRETIVE CENTER FUND INC. & GREAT FALLS CHAMBER OF COMM.	SJR 27	✓	
Marcia Staigmiller	Lewis & Clark Trail Heritage Found. Portage Route Chapter	SJR 27	✓	
Bill Olson	AARP	SB 387	✓	
GENE PHILLIPS	NAII	SB 387		X
Jerome Loendorf	MT. Consumer Finance	SB 419 SB 420	X X	
Ken Hoovestol	self	SJ-27	X	
Jacqueline J. Benmark	AIA	SB 387		X
R. D. Whitaker	State Farm Ins	SB 381		X
Greg Van Horssen	State Farm Ins	SB 387		X
Greg Van Horssen	IPMA/MEA	SB 398	✓	
Ed Eaton	self	SB 398	✓	
LARRY AKEY	MT ASSOC OF LIFE UNDERWRITERS	SB 423 SB 420	✓ —	—
LARRY AKEY	COIN OPERATORS ASSOCIATION	SB 390	✓	
JOHN CADBY	MT BANKERS	SB 419 SB 420	✓ ✓	
Clint Blackwood	Travel Montana	SJR 27	X	
DEBBIE BERNEY	PROFESSIONAL INS. AGTS MT	SB 387		✓

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

F10

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Call to Order: By CHAIRMAN STEVE BENEDICT, on March 4, 1993, at 9:00 A.M.

ROLL CALL

Members Present:
Rep. Steve Benedict, Chairman (R)
Rep. Sonny Hanson, Vice Chairman (R)
Rep. Bob Bachini (D)
Rep. Joe Barnett (R)
Rep. Ray Brandewie (R)
Rep. Vicki Cocchiarella (D)
Rep. Fritz Daily (D)
Rep. Tim Dowell (D)
Rep. Alvin Ellis (R)
Rep. Stella Jean Hansen (D)
Rep. Jack Herron (R)
Rep. Dick Knox (R)
Rep. Don Larson (D)
Rep. Norm Mills (R)
Rep. Bob Pavlovich (D)
Rep. Bruce Simon (R)
Rep. Carley Tuss (R) D
Rep. Doug Wagner (R)

Members Excused: None

Members Absent: None

Staff Present: Susan Fox, Legislative Council
Claudia Johnson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing: SB 132, SB 134 and SB 390
Executive Action: SB 132 and SB 134

HEARING ON SB 132

Opening Statement by Sponsor:

SEN. BARRY "SPOOK" STANG, Senate District 26, St. Regis, said SB 132 will authorize the Public Service Commission (PSC) to adopt

CHAIRMAN BENEDICT asked **Lars Gallup** about his testimony stating if SB 134 passes in its present form, it would give advantage to Pacific Hide & Fur in the court case that he has against them at this time. How will it affect him when this bill does not go into effect until October of 1993? **Mr. Gallup** said if Pacific can go into court in June and tell the jury that this bill was brought before the Montana Legislature, and the legislators felt the bill wasn't any good, it would go a long way in influencing the jury.

REP. SIMON asked **Lars Gallup** about his statement that Pacific would run Golden Recycling out of business with Pacific's checkbook, and asked him what record was he referring to? **Mr. Gallup** said the record of the hearing on the summary judgement that Pacific filed and the record that Golden filed last April before Judge Baugh. It came out of the hearing by one of the ex-employees from Pacific that the interim manager informed him he shouldn't leave Pacific and go to work for Golden because Pacific was going to use their checkbook to run Golden out of business, then he would be out of a job.

REP. SIMON asked **Tuck Vosburg** to respond to Lars Gallup's comment. **Mr. Vosburg** said that is a contention, but it was stated by Golden that it is a contention rebutted strongly by Pacific in those same documents that Mr. Gallup referred to. It will have to be tried in court, because Pacific has witnesses who say that Golden said that.

Closing by Sponsor:

SEN. CHRISTIAENS closed stating that the opponents would have the committee believe that SB 134 is nothing but a recycling issue and it isn't. This bill covers commodities of all types. He said SB 134 is for the consumers to receive the best price possible. He said SB 134 makes a level playing field for all, the most for competition, and the best for all consumers.

HEARING ON SB 390

Opening Statement by Sponsor:

SEN. B.F. "CHRIS" CHRISTIAENS, Senate District 18, Great Falls, said SB 390 will require a premises licensed for on-premise consumption of alcoholic beverages to be separated by walls from the rest of the building in which it is located, but provides that it may have inside access irrespective of the type of businesses or uses in the rest of the building. He said this bill comes specifically from a problem in Great Falls with a tavern that is under the same roof that has other multiple businesses. When a small restaurant was added this past year it was found that under the present law they could only have access from outside of the building. SB 390 will allow them to have access to the restaurant that serves food from within the bar. There are other bars in the state where the people have to leave

the bar and enter the other premises from outside of the building, i.e., Frontier Town now has a separate door to enter the bar, the people cannot walk through the curio shop into the bar. He said this bill will clarify this situation.

Proponents' Testimony:

Mark Staples, representing Montana Tavern Association, gave a synopsis and background of SB 390. He said on-premise consumption requires a beer and wine license in order to have gaming machines on the premises. In the last 2-3 years there has been a real growth of gaming in convenience stores. He said that several gaming machines had been grandfathered in for the convenience stores, but felt it was the legislative intent for the gaming to be strictly held within the premises where on-premise consumption was held. The convenience stores were buying wine and beer licenses, turning hot dogs on a stick and calling themselves a restaurant becoming an on-premise consumption establishment and offering gaming. He said the public was up in arms about it, and the Tavern Association was taking a beating for it, so the association approached the convenience stores, truckstops, etc., and then they all met with the Department of Revenue to find a new definition for "on-premise" consumption where alcoholic beverages are served. The department proposed new rules for on-premises consumption, and the general intent is the premises on which alcohol is served should be separated from other businesses. He said this bill would keep them from having keno, corn flakes and kleenex. The department went a step further than what was anticipated and that was to cut off the access entirely. The department gave two reasons why they didn't feel they went too far: 1) the Council of Churches opposed saying there shouldn't be any inside access. **Mr. Staples** said Harley Warner clarified that was not their position and did not mean for it to happen this way; and 2) the department said it would not really hurt Montana historically. There are many premises where there may be a tackle shop in the front or a museum that a person would have to walk through to enter a bar. He said the department would grandfather in those kinds of places. The department's position was to deny access only when a building was remodeled, so this rule was placed into effect. The family business in Great Falls is a combination of a tavern and a laundromat. The people wanted to build a restaurant to connect the tavern and laundromat, the department called it remodeling so the access was cut off and now the people have to enter the restaurant outside of the premise. **Mr. Staples** felt this was not the intent of the bill. The Department of Revenue did not oppose this bill on the Senate side, and didn't think they would today. He said this is an unintended consequence and said there wasn't any opposition to the bill. There will still be separation by walking through a door into the next premise.

Larry Akey, representing the Montana Coin Machine Operators Association, said the Machine Operators support SB 390 for the same reasons expressed by Mark Staples.

Bill Stevens, member of the Montana Food Distributors Association, said some of his members are the convenience stores that had been grandfathered in. He said they support this bill mainly because if there is remodeling done, those stores that were grandfathered in would be affected.

REP. LARSON, House District 65, Seeley Lake, said he wanted to be noted as an proponent for SB 390.

Opponents' Testimony:

None

Questions From Committee Members and Responses:

REP. PAVLOVICH asked **Gary Blewett, Administrator of the Liquor Division, Department of Revenue**, if amendments would be drafted to grandfather everyone in? **Mr. Blewett** said currently they have a grandfather clause built into the rules which states, "any configuration in which there is an alcoholic beverage on-premise service and grocery store that is not separated to continue that way until such time when they remodel". He said this proposed legislation does not have a grandfather clause built into it, but at the committee's request they would draft a grandfather amendment to incorporate them.

REP. LARSON asked **Gary Blewett** why the department is so interested in the layout of the premises? **Mr. Blewett** said the law specifically requires the department to check out two things when a licensed premise is to be established or renewed: 1) the qualifications of the individual or licensee; and 2) the suitability of the premises. He said the law does not define suitability, so the department has gone through some rule-making to do that. Historically, the department's interest in suitability found the language to be "reasonable control of the service of alcoholic beverages". The rules prohibit that there wouldn't be any on-line sight observation of the entire operation while alcoholic beverages were being consumed, which makes the licensee reasonably responsible for what happens on the premise. The suitability will include compliance with all the laws of the state associated with the operation of the premises. When there is remodeling done or a new premise location, the department makes sure that the building code inspectors, local zoning people, the buyer inspectors, and all the entities associated with what is a safe and proper building are notified that they are going through the process of making a change. The department receives the information from these people to check if there is any issuance on their part.

REP. DAILY asked **Gary Blewett** when do the rules for the grandfather clause go into effect? **Mr. Blewett** said this summer.

Closing by Sponsor:

SEN. CHRISTIAENS said from the discussions and questions in the committee there is a need for SB 390 because of the inconsistencies. **SEN. CHRISTIAENS** asked the committee if they could wait to take action on the bill at this time to allow an amendment to be drafted for full clarification.

EXECUTIVE ACTION ON SB 134

Motion: **REP. BRANDEWIE MOVED SB 134 BE NOT CONCURRED IN.**

Discussion: None

Motion: **REP. PAVLOVICH MADE A SUBSTITUTE MOTION THAT SB 134 BE TABLED.**

Motion/Vote: **REP. BACHINI** called the question. Voice vote was taken. Motion carried 17 - 1 with **CHAIRMAN BENEDICT** voting no.

Vote: **SB 134 BE TABLED.** Motion carried 17 - 1.

ADJOURNMENT

Adjournment: 10:20 A.M.

STEVE BENEDICT, Chair

CLAUDIA JOHNSON, Secretary

SB/cj

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Business & Ec. COMMITTEE BILL NO. SB 390

DATE March 4, 1993 SPONSOR(S) C. Christiaens

PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
LARRY AILEY	COIN OPERATORS ASSOC	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

Questions From Committee Members and Responses:

None

Closing by Sponsor:

SEN. BROWN closed.

EXECUTIVE ACTION ON SB 241

Motion: **REP. BRANDEWIE MOVED SB 241 BE CONCURRED IN.**

Discussion: None

Motion/Vote: **REP. ELLIS** called the question. Voice vote was taken. Motion carried unanimously.

Vote: **SB 241 BE CONCURRED IN.** Motion carried 18 - 0.

REP. LARSON made the motion to place SB 241 on the consent calendar. Voice vote was taken. Motion carried unanimously.

EXECUTIVE ACTION ON SB 390

Motion: **REP. ELLIS MOVED SB 390 BE CONCURRED IN.**

Discussion: **CHAIRMAN BENEDICT** informed the committee this bill will allow access of the facilities for on-premise liquor licenses from the same building. He said the amendments were written by the Department of Revenue. **CHAIRMAN BENEDICT** said the amendments will limit the retroactive application of the suitability requirement established in SB 390. Current licensees will not need to meet the new suitability requirements until the there are new structural alterations on the premises.

Motion/Vote: **REP. STELLA JEAN HANSEN** moved to adopt the amendments. **REP. ELLIS** called the question was called. Voice vote was taken. Motion carried 17 - 1. With **REP. MILLS** voting no. **EXHIBIT 6**

Motion/Vote: The question was called. Voice vote was taken. Motion carried unanimously.

Vote: **SB 390 BE CONCURRED IN AS AMENDED.** Motion carried 18 - 0.

EXECUTIVE ACTION ON SB 263

Motion: **REP. BRANDEWIE MOVED SB 263 BE CONCURRED.**